

House File 2408

H-8120

1 Amend the amendment, H-8102, to House File 2408, as follows:

2 1. Page 1, line 29, by striking <agreement> and inserting
3 <requirements — penalties>

4 2. Page 1, lines 32 and 33, by striking <written agreement>
5 and inserting <consent>

6 3. Page 3, by striking lines 3 through 18 and inserting:

7 <5. a. A provision of an agreement between a food delivery
8 platform and a restaurant, or the obtaining of consent, that is
9 contrary to this chapter is void and unenforceable.

10 b. An aggrieved restaurant or the attorney general may seek
11 judicial enforcement of the requirements of this chapter in an
12 action brought against a food delivery platform in the county
13 in which the violation occurred. The following civil penalties
14 shall be imposed for a violation of this chapter:

15 (1) A one thousand dollar penalty for a first violation.

16 (2) A two thousand five hundred dollar penalty for a second
17 violation.

18 (3) A ten thousand dollar penalty for a third and subsequent
19 violation.>

20 4. Page 3, line 19, by striking <A restaurant may> and
21 inserting <The attorney general or a restaurant may, in
22 addition to penalties imposed pursuant to subsection 5,>

23 5. Page 3, line 28, by striking <written>

24 6. Page 4, after line 17 by inserting:

25 <Sec. ____ . APPLICABILITY. This Act applies to agreements
26 entered into between a restaurant and a food delivery platform
27 on or after the effective date of this Act.>

28 7. Page 4, lines 19 and 20, by striking <and providing
29 civil penalties> and inserting <providing civil penalties, and
30 including applicability provisions>

31 8. By renumbering as necessary.

NORDMAN of Dallas